

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

ENRIQUE MENDOZA-FIGUEROA,	:	:
	:	Civ. No. 23-529 (RMB)
Petitioner	:	
	:	
v.	:	OPINION
	:	
WARDEN STEVIE M. KNIGHT,	:	
	:	
Respondent	:	

RENÉE MARIE BUMB, CHIEF UNITED STATES DISTRICT JUDGE

Petitioner Enrique Mendoza-Figueroa, a prisoner incarcerated in the Federal Correctional Facility in Fort Dix, New Jersey, filed a petition under 28 U.S.C. § 2241, seeking application of First Step Act earned time credits. (Pet., Dkt. No. 1.) Respondent file an answer to the petition (Answer, Dkt. No. 6.) The Court will rule on the petition in due course. In the meantime, Petitioner filed a motion to modify/reduce sentence (Dkt. No. 7.) For the reasons discussed below, the Court will administratively terminate the motion for lack of jurisdiction.

Petitioner seeks a reduction in his sentence for retroactive application of the sentencing guidelines as to crack cocaine offenses, pursuant to 18 U.S.C. § 3582(c)(1). (Dkt. No. 7.) The Government opposes relief because a motion to reduce sentence must be filed in a prisoner's sentencing court; here, the United States District Court, Eastern District of North Carolina, *United States v. Mendoza-Figueroa*,

Criminal Action No. 7:12-89-BO-8 (E.D.N.C.)¹ The Third Circuit has acknowledged, “Section 3582's text requires those motions to be addressed to the sentencing court.” United States v. Raia, 954 F.3d 594, 596 (3d Cir. 2020). Therefore, this Court will administratively terminate Petitioner’s motion to reduce his sentence, without prejudice to him filing the motion in his sentencing court.

An appropriate order follows.

Dated: December 13, 2023

s/Renée Marie Bumb
RENÉE MARIE BUMB
Chief United States District Judge

¹ Available at www.pacer.gov.